

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

<i>In re Myriad Genetics, Inc. Securities Litigation</i>	<p style="text-align: center;">SCHEDULING ORDER</p> <p>Case No. 2:19-cv-00707-DBB</p> <p>District Judge David B. Barlow</p> <p>Magistrate Judge Dustin B. Pead</p>
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Pursuant to Fed. R. Civ. P. 16(b), the court received the Attorney Planning Meeting Report filed by counsel. (ECF No. 90.) Consistent therewith, the following matters are scheduled. The times and deadlines set forth herein may not be modified without the approval of the court and on a showing of good cause pursuant to Fed. R. Civ. P. 6.

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|-----------|---|----------------|
| 1. | PRELIMINARY MATTERS | DATE |
| | Nature of claims and any affirmative defenses: | |
| a. | Date the Rule 26(f)(1) conference was held? | <u>3/26/21</u> |
| b. | Have the parties submitted the Attorney Planning Meeting Report? | <u>6/18/21</u> |
| c. | Deadline for 26(a)(1) initial disclosures? | <u>5/7/21</u> |
| 2. | DISCOVERY LIMITATIONS | NUMBER |
| a. | Maximum number of depositions by Plaintiff(s): | <u>20</u> |
| b. | Maximum number of depositions by Defendant(s): | <u>20</u> |
| c. | Maximum number of hours for each deposition (unless extended by agreement of parties or Court order): | <u>7</u> |
| d. | Maximum interrogatories by any party to any party: | <u>25</u> |
| e. | Maximum requests for admissions by any party to any party: | <u>50</u> |

- f. Maximum requests for production by any party to any party: 4 sets
- g. The parties shall handle discovery of electronically stored information as follows:
 - Consistent with forthcoming Proposed Protective Order and Proposed ESI Stipulation
- h. The parties shall handle a claim of privilege or protection as trial preparation material asserted after production as follows: consistent with forthcoming Proposed Protective Order.
- i. Last day to serve written fact discovery (except deposition notices, contention interrogatories, and requests for admission): 2/4/22
- j. Substantial completion of rolling document production: 12/22/21
- k. Plaintiff to substantially complete document production to Defendants in connection with class certification 30 days after the filing of Plaintiff's motion for class certification, provided that Defendants serve their requests for such documents no later than May 14, 2021
- l. Close of fact discovery: 5/12/22
- m. (optional) Final date for supplementation of disclosures and discovery under Rule 26(e): --

3. AMENDMENT OF PLEADINGS/ADDING PARTIES¹ DATE

- a. Last day to file Motion to Amend Pleadings: 12/17/21
- b. Last day to file Motion to Add Parties: 12/17/21

¹ Counsel must still comply with the requirements of Fed. R. Civ. P. 15(a).

4. RULE 26(a)(2) EXPERT DISCLOSURES & REPORTS **DATE**

Disclosures (subject and identity of experts)

- a. Party(ies) bearing burden of proof: --
- b. Counter disclosures: --

Reports

- a. Deadline for serving opening expert reports for party bearing burden of proof: 5/13/22
- b. Deadline for serving rebuttal expert reports: 7/12/22
- c. Deadline for serving reply expert reports: 8/11/22

5. OTHER DEADLINES **DATE**

- a. Deadline for Plaintiff to move for class certification 6/7/21
- b. Deadline to file any opposition to class certification 60 days after filing of Plaintiff's motion for class certification
- c. Deadline for Plaintiff to file reply in further support of class certification 60 days after filing of Defendants' opposition to class certification
- d. Last day for expert discovery: 9/26/22
- e. Deadline for filing summary judgment, dispositive or potentially dispositive motions: 10/17/22

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|----|--|--|
| f. | Deadline to oppose summary judgment: | <u>60 days after receiving summary judgment or other dispositive motion papers</u> |
| g. | Deadline to file reply in further support of summary judgment: | <u>60 days after receiving summary judgment opposition papers</u> |
| h. | Deadline for filing partial or complete motions to exclude expert testimony: | -- |

If the parties do not intend to file dispositive motions, a scheduling conference will be held for purposes of setting a trial date:


10/26/22 at 2:45 p.m.

After the court issues an order on the summary judgment motion(s), if there is anything left to litigate, the court will set a scheduling hearing to set a trial date and to ask the parties if they want to mediate. If the schedule set forth herein is not extended, the parties can generally expect that trial will be set sometime during the 2nd quarter of 2022.

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| 6. | SETTLEMENT/ALTERNATIVE DISPUTE RESOLUTION | DATE |
| a. | Likely to request referral to a magistrate judge for settlement conference: | TBD |
| b. | Likely to request referral to court-annexed arbitration: | TBD |
| c. | Likely to request referral to court-annexed mediation: | TBD |
| d. | The parties will complete private mediation/arbitration by: | -- |
| e. | Evaluate case for settlement/ADR on: | -- |
| f. | Settlement probability: <u>Fair</u> | |
| i. | Final Pretrial Conference: | <u>00/00/00</u> |

Signed June 21, 2021.

BY THE COURT:



Dustin B. Pead
U.S. Magistrate Judge